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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,614	04/08/2004	Jeffrey L. Strunk	FL8787US02	8197
27723	7590	09/05/2006	EXAMINER	
KEVIN FARRELL PIERCE ATWOOD ONE NEW HAMPSHIRE AVENUE PORTSMOUTH, NH 03801			GELIN, JEAN ALLAND	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/820,614	STRUNK, JEFFREY L.	
	Examiner	Art Unit	
	Jean A. Gelin	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-10, 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicant's arguments and amendments filed on June 15, 2006 in which claims 1, 3, 10, and 12 have been amended, and claims 2 and 11 have been canceled. Claims 1, 3-10, and 12-17 are currently pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-10, and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowdy (US 2003/0206616) in view of Meadows et al. (US 6,716,101).

Regarding to claims 1, 10, Dowdy teaches a method for sending a notification message to a telecommunication subscriber without revealing unpublished contact information (paragraphs 25-26), said method comprising: providing a requestor (caller) of unpublished contact information of a telecommunication subscriber an opportunity to indirectly send said subscriber a notification message (paragraphs 25-26), collecting information from said requestor regarding content of said notification message (i.e., leaving a message to unlisted subscriber, paragraph 25); sending said notification message to said subscriber (paragraphs 25, 31).

Dowdy does not specifically teach sending said notification message to said subscriber by a text messaging.

However, the preceding limitation is known in the art of communications. Meadows teaches the use of text messaging feature to allow users of communication devices to receive e-mail messages or any other type of short text messages on the LCD display of the communication devices (col. 6, lines 48-67). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Meadows within the system of Dowdy in order to leave text messages for monitored individuals when voice communication is not necessary.

Regarding to claims 3, 12, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches sending an e-mail containing said notification message to said subscriber as a supplement to said text message (paragraph 31).

Regarding to claim 4, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches wherein said requestor is given said opportunity to indirectly send said notification message in exchange for a fee (paragraph 44).

Regarding to claims 5, 13, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches wherein collecting information from said requestor regarding content of said notification message includes providing means for allowing said requester to provide information via a landline or wireless telephone (paragraphs 28, 31, and 44).

Regarding to claims 6, 14, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches wherein collecting information from said requestor

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regarding content of said notification message includes providing means for allowing said requestor to provide information via a computer network and a web-enabled device (paragraphs 30-31, 49).

Regarding to claims 7, 15, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches collecting information from said requestor regarding content of said notification message further includes causing an notification message screen to be displayed on said web-enabled device (paragraphs 30-31, 49).

Regarding to claims 8, 16, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches wherein said notification message screen includes a text box in which the text of said notification message is entered (paragraphs 25-32).

Regarding to claims 9, 17, Dowdy in view of Meadows teaches all the limitations above. Dowdy further teaches wherein said notification message screen includes additional text boxes in which said requestor's name and access number are entered (paragraphs 30-32).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

French-St. George et al.

US 6,463,131

10/08/2002

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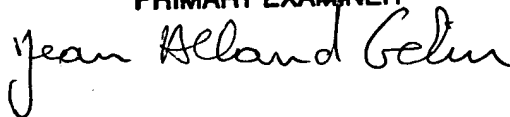
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JGelin
August 31, 2006

JEAN GELIN
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "Jean A. Gelin". The signature is written in dark ink and is positioned below the printed name and title of the examiner.